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Deputy Luter's Interview Transcripts
Deputy Gillespie's Interview Transcripts
Suspect White's Interview Transcripts

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- B- CD Containing Audio Recording of 911 Call
- C- CD Containing Audio Recording of Radio Traffic Dispatch 15 and L-Tac
- **D** CD Containing Aerial Photographs of Scene, Photos of the Scene, and Printed Photos

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Deputy Daily Work Sheet for Deputy Sorrow 263H
Palmdale Sheriff's Station In-Service Sheet for 02-05-11 PM Shift
Photographs Utilized During Deputy Sorrow's Interview
Training Records for Deputy Sorrow
Admonition Form

#### COUNTY OF LOS ANGELES

### SHERIFF'S DEPARTMENT

"A Tradition Of Service"

DATE: July 21, 2011

FILE: SH2281936

#### OFFICE CORRESPONDENCE

FROM:

JOSEPH S. HARTSHORNE, COMMANDER

OFFICE OF THE UNDERSHERIFF

TO: JOSEPH

JOSEPH M. GOODEN, CAPTAIN

INTERNAL AFFAIRS BUREAU

SUBJECT:

**EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:** 

**DEPUTY SCOTT SORROW #** 

PALMDALE STATION

On February 5, 2011, at approximately 2156 hours, deputies responded to a 911 call regarding a "Man with a Gun." The call indicated that a male adult, with whom the caller was not familiar with, was walking in the street with a gun. The caller also indicated that the male adult had "pointed" it at her kids.

Prior to the deputies arrival, the call was coordinated. Deputies Luter and Gillespie drove in from the east, while Deputy Sorrow drove in from the west. As they did, Deputy Sorrow arrived seconds before Deputies Luter and Gillespie. He saw the suspect walking east bound on Thomas Ave toward Pond Avenue; he was walking on the north sidewalk. Deputies Luter and Gillespie simultaneously turned from southbound Pond Ave, on to westbound Thomas. The suspect seeing them, turned around and began running westbound on Thomas Ave. Deputy Sorrow positioned his marked radio car on the north side of the street facing the suspect.

As the suspect ran, Deputy Sorrow got out of his car and pointed his gun at the suspect. He ordered him to get on the ground. The suspect ignored Deputy Sorrow's orders and ran past him. Deputies Luter and Gillespie drove past Deputy Sorrow and the suspect, in an effort to cut off the suspect. As they parked their car on the north east corner of Thomas and 32<sup>nd</sup> street, the suspect stopped and had his hands in his waistband area. The suspect continued to ignore the deputies commands to get on the ground. He suddenly turned back toward Deputy Sorrow and while doing so, removed his hands from his waistband as if he was retrieving a gun. Deputy Sorrow believing he had a gun, fired one round striking the suspect. Suspect White fell to the ground.

Suspect White continued to be un-cooperative with the deputies and refused to obey orders to show his hands. Eventually, suspect White did relinquish his hands and he was handcuffed.

He was treated at the scene by Los Angeles County Fire Department station #137, and subsequently transported to Antelope Valley Hospital via ambulance.

On July 14, 2011, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

#### Concerning:

MPP § 3-01/025.00, Use of Force, MPP § 3-01/025.30, Use of Firearms and Deadly Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Scott Sorrow was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by Deputy Sorrow in this incident were within Department Policy.

JSH:RSP/rsp

#### COUNTY OF LOS ANGELES

#### SHERIFF'S DEPARTMENT

"A Tradition Of Service"

DATE: July 15, 2011

FILE: SH2281936

#### OFFICE CORRESPONDENCE

FROM:

JOSEPH S. HARTSHORNE, COMMANDER

OFFICE OF THE UNDERSHERIFF

TO:

BOBBY D. DENHEM, CAPTAIN

PALMDALE STATION

SUBJECT:

**EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS** 

HIT SHOOTING

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on February 5, 2011.

Please advise Deputy Sorrow of this finding.

JSH:RSP/rsp

# Los Angeles County Sheriff's Department Orficer Involved Shooting

Page 1 of 4

						Version (5)	9657888716		
Report Date:			Bureau/Station/Facility:						
Nepoli Date.	02-07-	11	ourcade ototos a robety.	FOR 1 / Palmda	le She	riff's Station	Admin, In	vest.?	Hit? 🔀
			ers in the first	Incident Informa	tion 👍				
URN:	011-0	1871-26	03-051	Cate:	02-05	5-11	Т	ime:	2156 Hours
City or Station:		Palm	dale	Nature of Incident: I While driving to the to					g a "man with a gun" call. Thomas Ave. As he
Location: 3200 B	llock of T	homas.	Ave	attempted to contact to suspect to show his h	he suspectands. The	t, the suspect was suspect refused	s uncooperat	lve. Depu	ity Sorrow ordered the into his waistband and striking the suspect. the
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Last Name					First I	Name			M.I.
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Employee #	Last N	ame	Transitt		F	list Name	Kevin		M.I. J
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Employee#	Last N	ame	<u> </u>	Transfer Comman		ist Name			M.I.
			Brandon				Glenn		L

	PSTD Use Only	113	**
SH#			

Officer Involved Shooting URN: 011-01871-2603-051

Arrival Date	02-05-11	Arrivet Time 2300	Date Submitted	Date of Recommendation		
Employee #	Last Name	Fredericks		First Nam Stefenie	M.I	R
Employee #	Last Name Graham			First NameScott		
Employee #	Last Name Rossi		First Nam <b>J</b> ohn		M.I	Ε
		Shi	ooting / Force Informa	tion		
Method				Trena of Injury	Body Part is	niura

33.5				Shoot	ing / Force Informa	tion						
Meth	od					Тур	e of Injur	y		Body	Par	t injured
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#### FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Pari (Code)
<b>S</b> 1	E1	UC					NN	NN
E1	S1	FH	BR	8	Y	Y	GS	CH
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### Officer Involved Shooting involved Employee Information

URN: \_\_\_011-01871-2603-051

Page 3\_of 4

	7		40.3	Involved	Empl	oyee		34	
_	Employee #	Last Name Sorrow					First Na	Scott	M.I. E
	Sex: Race: H	Rank Deputy		Unit Assignmen	t Imdale		Work Ass	signment (Unit #, Module, e 263h	
Ì	ShiftTime (circle only one):  EM PM Day	ShiftType (circle only one).  Regular Overtime Of	f Duty	Intoxication/Dr	ug Usage	7 🔲	Substance	ce Used:	
ł	Hospital Admission?	Hospital Name:		Coroner Case	7 🗍		Coroner	Case #	Interviewed?
	Hrs of sleep prior to shooting:	Duty Time (hrs):		(circle anly one):			Other Fa	otors:	
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	Range Qualification Date:			acket no Vest <	Uniform	w/ Vest		Laser Training Date:	
Į	Certified with Weapon	Patrol Certification?	Certific	ation Unit:	1	Prior Shoot	ings7	Number of Prior	Directed Force:
	Used? Weapons Fired	Caliber	, #S	hots 1	Weapon			Shootings:   Caliber	# Shots
	Brand: Beretta Field Training Officer Emp#	9MN Last Name	<u>/I</u>		Brand.		First Na	me	M.I.
	Field Training Officer Emp#	Last Name					First Na	inte	M.I.
					_		Fig. 67		M.I.
-	Employee#	Last Name					First Na		
	Sex: Race:	Rank		Unit Assignme	nt:		Work As:	signment (Unit #, Module, e	etc.):
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	Certified with Weapon	Patrol Certification?	Certific	ation Unit:		Prior Sho	otings?	Number of Prior Shootings:	Directed Force:
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	Field Training Officer Emp #	Last Name					First Na	ame	M.I.
	Field Training Officer 5mp #	Last Name					First Na	ame	M.L.
	Employee#	Last Name					First N	ame	M,I,
	Sex: Race	Rank		Unit Assignme	ent:		Work As	signment (Unit #, Module,	etc.):
	ShiffTime (circle only one):	ShiftType (circle only one):		Intoxication/D	rug Usage	?	Substan	ice Used:	
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	Field Training Officer Emp #	Lest Name					First Na	ame.	M.I.

## Officer Involved Shooting Suspect Information

URN: 011-01871-2603-051

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		Suspect I	monnation				
Last Name White			First Name Roman	ion	M.I.		
AKA Last Name			First Name				
Sex: M Race: B	Street Address:		City		State & Zip Code		
Work Phone:	Home Phone:	Social Sec	urity #:	Driver's License #:			
Age: 43 D.O.B 09-28-6	Height: Weight:	FBI#		CII#			
Booking # 2324127	Primary Charge: 245 (A)	(2) P.C	Secondary Charge:				
Coroner Case?	Coroner Case #	(2)1.0.	Intoxication/Drug Usage?	Substance Used:			
Armed?	Apprehended?		Mental Illness?	Criminal History?			
Vehicle Make			Model:	Year:			
Last Name		-	First Name		M.1.		
AKA Last Name			First Name		М.І.		
Sex: Race:	Street Address:		City		State & Zip Code		
Work Phone:	Home Phone:	Social Sec	curity #:	Driver's License #:			
Age: D.O.B.	Height: Weight:	FBI#		CII#			
Booking #	Primary Charge:		Secondary Charge:				
_				Substance Used:			
Coroner Case?	Coroner Case #		Intoxication/Drug Usage?				
Coroner Case?	Coroner Case #  Apprehended?		Intoxication/Orug Usage?  Mental illness?	Criminal History?			
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4INVESTIGATIVE SUMMARY DEPUTY INVOLVED SHOOTING: HIT SH# 2281936 URN 011-01871-2603-145

#### DATE / TIME / LOCATION

Saturday, February 5, 2011 2156 hours 32<sup>nd</sup> Street East / Thomas Ave, Palmdale

On February 5, 2011, at approximately 2156 Hours, deputies responded to a 911 call at in Palmdale regarding a "Man with a Gun " call. The call indicated that a male adult, with whom the caller was not familiar with, was walking in the street with a gun. The caller also indicated that the male adult had "pointed" it at her kids. Further investigation revealed that the caller was the formula of Victim

Victim said that he was driving his friend when he saw the suspect standing in the middle of the street. As he drove toward him, the suspect did not move out of the way of his car. He had to drive on the wrong side of the street in order to not hit the suspect. He said the suspect stood in the middle of the street like a statue. He dropped off his friend and drove back west bound on Thomas Ave. The suspect was now standing on the south sidewalk. As he passed, the suspect walked into the street. He saw a black hand gun in the suspect's right hand. The suspect pointed the gun at him. He called his friend and told him to call 911.

IAB Note: A CD containing a recording of the 911 calls are included in this case book. See Exhibit B.

Prior to the deputies arrival, the call was coordinated. Deputies Luter and Gillespie drove in from the east, while Deputy Sorrow drove in from the west. As they did, Deputy Sorrow arrived seconds before Deputies Luter and Gillespie. He saw the suspect walking east bound on Thomas Ave toward Pond Ave. He was walking on the north sidewalk. Deputies Luter and Gillespie simultaneously turned from southbound Pond Ave, on to westbound Thomas. The suspect seeing them, turned around and began running westbound on Thomas Ave. Deputy Sorrow positioned his marked radio car on the north side of the street facing the suspect. As the suspect ran, Deputy Sorrow got out of his car and pointed his gun at the suspect. He ordered him to get on the ground. The suspect ignored Deputy Sorrow's orders and ran past him. Deputies Luter and Gillespie drove past Deputy Sorrow and the suspect, in an effort to cut off the suspect. As they parked their car on the north east corner of Thomas and 32<sup>nd</sup> street, the suspect stopped and had his hands in his waistband area. The suspect continued to ignore the deputies commands to get on the ground. He suddenly turned back toward Deputy Sorrow and while doing so, removed his

hands from his waistband as if he was retrieving a gun. Deputy Sorrow believing he had a gun, fired one round striking the suspect. Suspect White fell to the ground.

Suspect White continued to be un-cooperative with the deputies, and refused to obey orders to show his hands. Eventually, suspect White did relinquish his hands and he was handcuffed.

He was treated at the scene by Los Angeles County Fire Department station #137, and subsequently transported to Antelope Valley Hospital via ambulance.

The incident was documented on a sheriff's crime report, bearing File Number 011-01871-2603-145. The investigation was being handled by Homicide Bureau Personnel. Internal Affairs Bureau Lieutenant Stefanie Fredericks was notified. Sergeants Scott Graham and John Rossi responded to Palmdale Station, to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses, and involved deputies.

#### IAB SHOOTING / FORCE TEAM

Lieutenant Stefanie Fredericks, Sergeant Scott Graham, and Sergeant John Rossi.

#### **INVOLVED PERSONNEL**

Sorrow, Scott, Deputy # Patrol - Palmdale Station
Region I

Date of Employment: Date Assigned to Patrol:

Date Completed Patrol Training:

Date of Range Qualification

Prior Shooting Incidents:

Prior Founded Force Incidents:

MVV/

5-09 195

Right Handed

05-06-1999

One

#### SUSPECT

White, Romarion

MB/43

5-09 140

The Consolidated Criminal History System reveals Suspect White



Suspect Wheeler is a member of the "83 Street" Crip Gang.

IAB Note: Suspect White's Criminal History Report is included in this case

book. See Exhibit A, page 73. Photographs of Suspect White are

also included. See Exhibit A, page 33 and 69.

#### **EMPLOYEE WITNESSES**

Luter, Michael # Deputy Sheriff

Gillespie, Nathan # Deputy Sheriff

#### NON-EMPLOYEE WITNESSES



IAB Note: Several of the neighboring houses were canvassed for potential witnesses. None of the persons contacted saw the incident, several only heard it. Their statements are documented on several supplemental reports. See Exhibit A, pages 51-59.

#### INJURIES

#### Suspect White:

Sustained a single gunshot wound to his right chest.

#### Deputy Personnel:

None.

#### PHYSICAL EVIDENCE

One expended 9MM casing was found on the north side walk of Thomas Ave.

IAB Note: For a complete listing of physical evidence collected at the scene,

see Exhibit A, pages 1-2.

#### DISTANCE

Fifteen to twenty feet.

#### **INVESTIGATOR OBSERVATIONS**

On February 05, 2011 the Internal Affairs Bureau's Force and Shooting Response Team responded to the City of Palmdale regarding a deputy involved hit shooting. The team consisted of Lieutenant Stefanie Fredericks, Sergeants Scott Graham and John Rossi. Attorney Angelica Arias of the Office of Independent Review also responded.

IAB NOTE: IAB Lieutenant Stefanie Fredericks checked to see that the watch commander, Lieutenant Brandon took reasonable steps to ensure the involved and witness personnel d d not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collect vely consult with their attorney or representative. In addit on, IAB Lieutenant Stefanie Fredericks checked to see if the watch commander attempted to have the involved and witness personnel gather in the company of a supervisor until they have provided a statement to the assigned investigators.

Upon their arrival they learned that there was an active command post and containment of the crime scene area. Investigators learned of the series of events which occurred, culminated into a deputy involved, hit shooting involving Deputy Scott Sorrow. The personnel involved in the incident were uniformed patrol deputies

The criminal investigation was handled by Homicide Bureau Detectives Steve Rubino, and Peter Hecht. They entered the crime scene with Sheriff's Crime Lab Personnel. They documented their actions and findings on Supplemental Reports. See Exhibit A, pages 1-2.

IAB Note: Photographs of the scene are included in this case book. See

Exhibit D. A sketch of the scene is also included, See Exhibit A,

page 17.

#### **REVIEW OF RADIO TRANSMISSIONS**

Internal Affairs Investigator Scott Graham reviewed the radio broadcast during the incident. On the recording at (2154:34 Hours), 263H puts himself "Code 6" at the location. At (2154:44 Hours), Deputies Luter and Gillespie, 263F put themselves 10-97 at the location. At (2155:35 Hours), Deputy Sorrow, unit 263H is heard stating that he had been involved in a shooting along with his location. At (2155:58 Hours), Deputy Luter, 263F advises they are 10-97 and takes over the radio transmission. He begins to contain the area, and requests paramedics for the suspect. He also advises that the deputy is accounted for an is "ok."

He continues to set up a containment and also advises that the suspect is "uncooperative."

During Deputy Luter's radio transmissions, in the background, you can hear Deputy Sorrow giving the suspect several commands to show his hands. At (2157.15 Hours), you can still hear Deputy Sorrow giving commands to "turn around" while Deputy Luter continues directing units to the location.

IAB Note: Recording of Dispatch Fifteen emergency radio traffic is included in

this case book. See Exhibit C.

#### LIGHTING AND WEATHER CONDITIONS

It was dark out with street lights on when the incident occurred (2156 hours).

#### WEAPONS USED BY DEPUTY PERSONNEL

Deputy Sorrow:

Service Weapon Type. Beretta 9 millimeter Semi-Automatic

Rounds Fired: Or

Type of Ammunition Used: Department Issued Luger (Win) Ranger SXT

147gr.

Date Employee Last Qualified:

IAB Note: An examination of Deputy Sorrow's firearm by Homicide detectives

indicated he had shot a total of one round. One expended, 9 MM casing was recovered at the scene. **See Exhibit A**, page 1. The firearm was tested by Sheriff's firearms examiners and found to be

functional. See Exhibit A, page 24.

#### WEAPONS USED BY SUSPECT

None recovered.

#### PROPERTY DAMAGE

None

#### CRIMINAL INVESTIGATOR/CHARGES FILED

Investigator: Homicide Bureau - Detective Mitch Rob.son and Kathleen

Gallagher.

Charges: Resist / Obstruct a Peace Officer in the Performance of Their

Duties, 148 PC. Under the Influence of a Controlled Substance,

11550(A) H&S.

Case filed at Antelope Valley Court - Case Number VA115239

#### **INVOLVED EMPLOYEE STATEMENTS**

**Involved Deputy Scott Sorrow** was interviewed by Homicide Detectives Mitch Robison and Kathleen Gallagher at Palmdale Station on February 6, 2011 at 0207 hours. The interview was audio-recorded.

Deputy Sorrow said that ne was the assisting unit responding to a "Man with a Gun" call on Thomas Ave Deputy Sorrow coordinated the call with Deputy Luter. He said he would come from the west and Deputy Luter would come from the east. As he drove on Thomas Ave from Via De Rio, he saw a male matching the description in the call walking down the street. He was the only male, and he was walking eastbound on the north sidewalk Deputy Sorrow illuminated the suspect with his spotlight. At the same time, Deputies Luter and Gillespie turned westbound on Thomas Ave from Pond Ave.

IAB NOTE: The description given in the call was, Male Adult, unknown clothing description carrying a gun. An update in the call indicated that the suspect was wearing dark clothing and wearing white snoes

Deputy Sorrow said that as he drove toward the suspect who was walking eastbound, the suspect never saw him coming from behind. When the suspect saw Deputies Luter and Gillespie's radio car, he turned and ran westbound toward Deputy Sorrow. Deputy Sorrow already had his gun out, put the car in "park," got out of the car and attempted to detain the suspect at gun point. Deputy Sorrow ordered the suspect to put his hands up but the suspect said, "No No No," and continued running.

Deputy Sorrow said ne was out of his car with his gun pointed at the suspect when he heard Deputy Luter's car driving behind him. Deputy Sorrow ordered the suspect to "get on the ground."

As Deputies Luter and Gillespie passed the suspect, the suspect stopped. He quickly turned to his left while bringing his hands from his waistband. Fearing the suspect was retrieving a gun, Deputy Sorrow fired one round at the suspect striking him in the chest. Deputy Sorrow sa'd that the suspect fell "straight back and landed on his head, straight back on his back."

Deputy Sorrow stated, "I couldn't see his hands, his hands were in his waist area, couldn't see his hands at all. He turns to his left and he brings his hands right up from the waist area as if he, you know, fearing that he had, he had a gun on him....I believe he was at that point retrieving a firearm from his waist. Fearing he had a gun, he had a gun in his hand, he turned towards me and that's when I. I shot him."

Deputy Sorrow said that after the shooting, he detained the suspect at gun point, along with Deputies Luter and Gillespe. The suspect d d not comply with their orders to show his hands. He continued to move his hands into his waistband area. While this was taking place, Deputy Sorrow was able to put out emergency radio traffic regarding the shooting and his location. Deputy Luter took over radio communications. Eventually the suspect was handcuffed.

**Deputy Scott Sorrow** was interviewed by Internal Affairs Bureau Sergeants Scott Graham and Frank Quichocho at Palmdale station on Apri 1, 2011 at 1930 hours. The interview was audio recorded and Deputy Sorrow did not have representation.

Deputy Sorrow answered questions relative to tactics.

Deputy Sorrow was asked what h s "mind set" is based on his experience while responding to a "Man with a Gun" call. He stated, "My, my awareness level is going to increase. I'm going to be more on point with my tactics. More focused on my surroundings, knowing where I'm at. Knowing where my partners are, where they are rolling in from And just basically watching what the suspect's hands, watching his motions, his movements and especially his hands."

Deputy Sorrow said that he utilized the "high beam" headlights, as well as his spotlight to illuminate the suspect.

He was asked how far the suspect was from him, when he first saw him Deputy Sorrow indicated approximately 50-60 feet when he turned onto Thomas Ave from Via Del Rio.

Deputy Sorrow said that from where he initially stopped his car to where the suspect was running toward him, there was approximately 30 - 40 feet between them.

Deputy Sorrow said that as the suspect was running toward him, he gave severa. commands to stop. The suspect stopped for a second, said "No No," and continued running west.

Deputy Sorrow said that as the suspect ran past him, he was no closer than 10 feet.

He said he was less than 25 feet from the suspect when he shot.

Deputy Sorrow said he was aware of his shooting background, and he did gain target acquisition utilizing his sights.

When asked if he used cover or concealment, he said that he was approximately five feet away from his car when he shot. He said that when the suspect ran past him, he took a few steps toward the suspect because he thought he was about to go in foot pursuit.

Deputy Sorrow said that he has had persons run from him in the past. He said that this situation was similar to past incidents, until the suspect abruptly turned back toward him.

IAB Note: During his interview, Deputy Sorrow was shown aerial photographs

of the scene. Deputy Sorrow was asked to mark his, and the

suspect's position, when the incident occurred. See

Miscellaneous Documents.

For Deputy Sorrow's complete statements, refer to his verbatim interview transcripts.

#### **EMPLOYEE WITNESSES**

Luter, Michael #

Witness Deputy Michael Luter was interviewed by Homicide detectives Mitch Robison and Kathy Gal agher, on February 6, 2010. The interview was audio-recorded.

Deputy Luter said that they were responding to a "Man with a Gun" call, and they had the handle on it. They coordinated the call with Deputy Sorrow as the assisting unit. He told Deputy Sorrow to come from the west, and they would come from the east. As they approached the location, the call was updated that the suspect was now at Thomas Ave and Pond Ave.

As they arrived, they drove north on Pond Ave to check for the suspect. As Deputy Luter drove half way in the cul-de-sac, he did not see anyone. He turned around and went back onto Thomas Ave. When he did this, he saw Deputy Sorrow's radio approaching 32nd Street West.

He saw Deputy Sorrow's spotlight was on illuminating a person on the sidewalk. Deputy Luter drove toward Deputy Sorrow. He saw that the suspect appeared "as if he started to run" west on Thomas Ave. He accelerated so that if the suspect was going to run, they could get an "eye" on him. As he passed Deputy Sorrow's car, he saw the top

of Deputy Sorrow starting to exit the car. Deputy Luter positioned his car facing a north west direction at 32<sup>nd</sup> Street West and Thomas Ave. He said the suspect looked as if he was going to run. He was approximately 15-20 feet from Deputy Sorrow. Deputy Luter said he saw the suspect turn. As the suspect turned, his hands were in his stomach area and he turned to his left. Deputy Luter said as he is exiting his car with his gun out, he heard a gunshot. When he heard the gun shot, he pointed his gun at the suspect and saw the suspect's hands were still in his waist area. He lost sight of Deputy Sorrow. He stated the following, "I lose sight of Deputy Sorrow, so at this point I don't know if he's been shot at or shot and I see the suspect kind of take a step back and I can't remember if his hands came up or maintained his stomach and he just kind of fell flat on his back towards the sidewalk facing westbound. And then at that point, I heard the radio traffic 998 go out, which gave me a little reas...! was reassured that Deputy Sorrow probably shot the round and it wasn't him being shot at."

The suspect was detained at gun point while they put out radio traffic. The suspect kept his hands on his waistband. Deputy Luter said of the suspect, "He wouldn't listen to anything that anybody, any direction we were giving him and he just kept maintaining his hands by his waistband the whole time."

Deputy Luter said that he saw something hanging out of the suspect's shirt and he believed it was a belt.

The suspect finally brought his hands up just barely above his chest area. They slowly approached him, grabbed his hands, and put him in handcuffs. They rolled him over and checked him for weapons.

Deputy Luter was asked if the suspect's movement toward Deputy Sorrow was relatively quick. He responded saying, "It was so fast it was like it, it just all...it was like a just snap. I mean one second it felt like he was exiting his car, the guy turned, we exit our car and the, the shot and everything is like simultaneous."

For his complete statement, refer to the verbatim transcript, included in this case book.

**Deputy Michael Luter** was interviewed by Internal Affairs Bureau Sergeants Scott Graham at Palmdale station on May 10, 2011 at 1114 hours. The interview was audio recorded and Deputy Luter did not have representation.

Deputy Luter answered questions relating to the handcuffing of suspect White. He said that the suspect fell on the ground and his hands were near his waistband area. He kept his hands there for "quite some time." The deputies gave the suspect orders to take his hands away. Eventually his hands came up toward his side. Deputy Luter described them as, "almost up in the air but his elbows more towards his rib area, but his hands outward from the body towards myself and Deputy Gillespie."

When the suspect's hands came out, in order to control his hands and make sure he did not have a weapon in his waistband, Deputy Luter controlled the suspects right arm, and Deputy Gillespie controlled the left arm. They told the suspect to roll over a few times but he never did.

Deputy Luter said that the suspect was not "non-complaint", but it appeared as if the bottom portion of his body was not moving. Deputy Gillespie and Luter rolled the suspect onto his stomach, placed his hands behind his back, and Deputy Reader applied the handcuffs.

Gillespie, Nathan #

Witness Deputy Nathan Gillespie was interviewed by Homicide detectives Mitch Robison and Kathy Gallagher, on February 6, 2010. The interview was audio-recorded.

Deputy Gillespie said that they were responding to a "Man with a Gun" call. He said that he was the "Book Man" in the car. As they were driving westbound on Thomas Ave, Deputy Sorrow's car came into view. As the cars approached each other, he saw a male walking on the north side walk. As they passed Deputy Sorrow's car, he lost sight of the suspect for a moment. He looked down and "drew" his weapon. As he was looking down, he heard a "pop." He looked up and saw the suspect laying on his back.

Deputy Gillespie describes what he did next: "I got out of my vehicle and at that moment I didn't know exactly what happened, I didn't know if Deputy Sorrow had been shot or, or what happened. And then I heard 998 and I looked at Deputy Sorrow and I saw him on his radio. I saw the suspect when he was lying on the ground, his hands were like around his waistband and his waistband looked like it, it was bulged, like a bulge. I, I pointed my weapon at the suspect and I ordered him to have him put his hands up in the...away from his waistband."

Deputy Gillespie said that the suspect did not comply with any orders. He stated, "He kind of looked at us with a blank stare. We ordered him multiple times. We were telling him to lay on his stomach and then we, we...the suspect finally lifted his hands up above or away from his waistband and then that's when we grabbed the suspect, Deputy Luter and I grabbed the suspect's hands and put him onto his stomach."

Deputy Gillespie said that the suspect was eventually handcuffed.

For his complete statement, refer to the verbatim transcript, included in this case book.

#### CIVILIAN WITNESSES

Witness was contacted by Deputy Ashley Hill # He told her the following: He said that he was driving his friend when he saw the suspect standing

in the middle of the street. As he drove toward him, the suspect did not move out of the way of his car. He had to drive on the wrong side of the street in order to not hit the suspect. He said the suspect stood in the middle of the street like a statue. He dropped off his friend and drove back west bound on Thomas Ave. The suspect was now standing on the south sidewalk. As he passed, the suspect walked into the street. He saw a black hand gun in the suspect's right hand. The suspect pointed the gun at him. He called his friend "Thomas and told him to call 911.

IAB Note: This summary was taken from the original supplemental report written by Deputy Hill. See Exhibit A, page 46.

The residential neighborhood near the shooting scene, on Thomas Ave, was canvassed for any potential witnesses. The area was canvassed by deputies from Palmdale station.

Several of the residents stated they heard noises, but none actually witnessed the shooting, or had any knowledge of the circumstances surrounding the incident. The names of the residents contacted, and a summary of their interviews, are documented on Supplemental Reports which are included in this case book. **See Exhibit A, pages 51-60.** 

Witness was contacted by Deputy Collin Reddy # She told him the following: At approximately 2140 hours, she was driving westbound on Thomas Ave just west of Pond Ave. She saw a male black adult (Suspect White), walk from the north side walk of Thomas Ave directly in the middle of the street in front of her car. She saw he was staggering and swaying as if he was drunk. She waved for him to move, but he did not. She drove around him and as she passed him, he ran after her waving both hands in the air. She continued to drive away and lost sight of the suspect.

IAB Note: This summary was taken from the original supplemental report written by Deputy Reddy. See Exhibit A, page 52.

Witness was contacted by Deputy David Shea # She told him the following: As she and her Witness was arrived home, she saw a male black adult (Suspect White), standing in the middle of the street in front of her home. She said that the suspect was staring at the sky, and swinging his hands up and down. She said that he walked west bound on Thomas Ave and out of view. Several minutes later she saw a Sheriff's car drive past her house west bound. Moments later she heard a single gun shot.

IAB Note: This summary was taken from the original supplemental report written by Deputy Shea. See Exhibit A, page 58-59.

Witness	was contacted by Deputy David Shea #	He told him the
following: As	s he returned home with his Witness	he saw a male
black adult (	Suspect White), standing in the middle of the st	reet in front of his house.
He said the	suspect was wandering around and appeared a	is if he was "on drugs."
Witness	entered his house. A few minutes later he h	leard a single gun shot while

IAB Note: This summary was taken from the original supplemental report written by Deputy Shea. See Exhibit A, page 59-60.

#### SUSPECT'S STATEMENTS

inside his home.

**Suspect Romarion White** was interviewed by Homicide Bureau Detective Mitch Robison, on February 10, 2011. The interview was conducted at Antelope Valley Hospital. Suspect White was advised of is Miranda rights. He said he understood them and agreed to talk. The interview was audio recorded.

Suspect White told Detective Robison that he did not use drugs, but he did drink some beer. He said that he did not have a gun the night of the incident. He told Detective Robison he did not remember the police "shouting" at him. He said that prior to the police arrival, he was yelling at some kids in the neighborhood because they were making a lot of noise. Suspect White did not remember any details of his contact with the police.

For a summary of Suspect White's interview, refer to the supplemental report authored by Detective Robison. See **Exhibit A**, page 12.

For his complete statement, refer to the verbatim transcript, included in this case book.